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918-45

3 April 1975

MEMORANDUM FOR: Legislative Counsel

SUBJECT : Comments on the Murphy Commission Report

1. In commenting on this report, I am explicitly refraining from trying to change the views and recommendations but am focusing on matters of fact and security.

2. The description of the responsibility of the DDI on page 8 of Part I, even though short, is not accurate. I recommend dropping the last two lines of that page and substituting the following:

order to produce intelligence assessments of foreign developments and daily and periodic intelligence reports for the President, NSC and other government departments.

3. [REDACTED] figure given in the beginning of the NSA paragraph on page 11 of Part I does not apply to NSA as an agency. It does apply to the Consolidated Cryptologic Program which includes all the Service Cryptologic Agencies as well as NSA. This figure may also be double-counted in the paragraph on the Service intelligence organizations as described on page 12.

4. The sentence on NPIC on page 5 of Part IV seems to reflect a misunderstanding of what NPIC is as an organization. NPIC itself is a coherent organization under CIA management composed of people and slots from both CIA and DIA. The concept of CIA and DoD "acting independently of one another" in NPIC as an organization is not true. However, [REDACTED] in which

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NPIC is housed also houses separate imagery interpretation components of DIA, Army and CIA. The quoted concept does describe some of the activities of these components.



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6. The equating of clandestine collection with the term HUMINT in Part V is just plain wrong; clandestine collection is just one type of HUMINT. I recommend the use of the term HUMINT be dropped.

7. On page 2 of Part V, the statement that the USSR "annually commits more resources (both people and money) than the U. S. to all phases of intelligence" is nice but our previous attempts to quantify such a statement have failed. Furthermore, what the US needs is to have the best intelligence it can afford; what the Soviets spend is interesting but not directly relevant to the problem.

8. All through the report there are references to satellite photography, the NRO and the like. We are faced with a Presidential directive that makes even the fact of such activities classified SECRET. On the other hand, I believe that the Murphy Commission would be viewed as an authoritative "official" document in the sense that Judge Hainsworth's decision ruled that statements in such a document would in effect put formerly classified information into the public domain and thereby make it unclassified. In this case we have two options:


- We could insist that all such references be removed from any unclassified version of the report, or

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-- We could let it ride because it would be unrealistic to insist upon classification and because trying to use other words would make the report difficult to understand.


If we took the second option, the DCI might then be in a position to say authoritatively that the "fact of satellite photography" is now in the public domain and therefore unclassified. This obviously is a decision that the DCI should make.

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